

December 21, 2022

Mr. Leigh D. Simmons
Colorado Division of Reclamation, Mining and Safety
Office of Mined Land Reclamation
1313 Sherman Street, Room 215
Denver, Colorado 80203

**Re: West Elk Mine (Permit No. C-1980-007)
Technical Revision No. 151, (TR-150)
Initial Adequacy Review**

Dear Mr. Simmons,

Please find Mountain Coal Company's (MCC) response to your Initial Adequacy Review, dated December 20, 2022 below.

Rule 2.04.4 Cultural and Historic Resource Information

1. Rule 2.04.4(2) states that:

The Division may require the applicant, for good cause shown, to identify and evaluate important historic and archeological resources that may be eligible for listing on the National Register of Historic Places through collection of additional information, conducting of field investigations, or other appropriate analyses.

Section 2.04.4 of the currently approved Permit Application Packet (PAP) states that:

There are no known cultural and historic resources within the West Elk Mine permit area listed or eligible for listing on the National Register of Historic Places. There are no known significant archaeological sites existing on any areas proposed or likely to be affected by coal mine development, extraction or subsidence over the life of the mine in this area.

The text goes on to summarize the investigations that have taken place to support the above statement, and refers to the Map 7 series and the Exhibit 10 series. The field investigations documented in the Exhibit 10 series do not appear to cover the area proposed to be affected by proposed longwall panel LWE12. (See Figure 1, below)

Please respond to the SHPO recommendation that a cultural resource inventory be completed for the area to be affected by the proposed extension of longwall panel LWE-12. If the area has already been inventoried please update section 2.04.4 of the PAP text to provide a reference.

MCC will contract with Alpine Archeological Consultants, Inc, or another archeological consultant, to conduct a Cultural and Historic Inventory Survey in 2023 when the weather permits access to the area of LWE12.

Rule 2.08.4 Revisions to a Permit

2. On the application form submitted with TR-151 no change in affected area was noted. Since TR-151 proposes a change to the acreage of land to be undermined the actual number of affected acres must be different to the 16,086.85 currently approved.

Please calculate the affected area proposed with TR-151, based on the definition given in 1.04(7), and consistent with the mine plan shown on Maps 50, 51 and 52.

Calculations have been updated on the E-permitting website for CDRMS.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Poulos".

Nicki Poulos
Environmental Engineer